

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

CRYOVAC, INC.,	)	
	)	
Plaintiff/Counter-Defendant.	)	Civil Action No. 04-1278
	)	
vs.	)	Hon. Kent. A. Jordan
	)	
PECHINEY PLASTIC PACKAGING, INC.	)	
	)	
Defendant/Counter-Plaintiff.	)	
	)	

**NOTICE OF RULE 30(b)(6) DEPOSITION OF  
PECHINEY PLASTIC PACKAGING INC. (No. 1)**


PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, plaintiff/counter-defendant Cryovac, Inc. ("Cryovac") will take the deposition of defendant/counter-plaintiff Pechiney Plastic Packaging, Inc. ("Pechiney") upon oral examination of the witness(es) designated by Pechiney as the person(s) most competent to testify on its behalf concerning the categories listed on attached Schedule A. The deposition shall be recorded by videotape and stenographic means and shall take place at the offices of Sidley Austin Brown & Wood LLP, located at Bank One Plaza, 10 South Dearborn Street, Chicago, Illinois, beginning at 9:00 a.m. on July 28, 2005, or at such other place and time as may be agreed to by the parties.

In accordance with Rule 30(b)(6), Cryovac requests that Pechiney prepare its designee(s) to testify "as to matters known or reasonably available to" Pechiney regarding the subjects listed on attached Schedule A. Cryovac also requests that Pechiney provide Cryovac with written notice of at least five (5) business days before the deposition of the name and employment position of each person designated to testify on Pechiney's behalf, identifying the matters set forth in Schedule A as to which each person will testify.

The deposition, before a Notary Public or other person authorized by law to administer oaths, will continue from day to day until completed with such adjournments as to time and place as may be necessary. You are invited to attend and to cross-examine the witness.

Respectfully submitted,

Dated: July 13, 2005

  
John W. Shaw (No. 3362)  
Karen E. Keller (No. 4489)  
YOUNG CONAWAY STARGATT &  
TAYLOR, LLP  
The Brandywine Building, 17th Floor  
1000 West Street  
Wilmington, Delaware 19801  
(302) 571-6689

Of counsel:  
Ford F. Farabow, Jr.  
Joann M. Neth  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
901 New York Avenue, N.W.  
Washington, D.C. 20001-4413  
(202) 408-4000

Attorneys for Plaintiff Cryovac, Inc.

**SCHEDULE A**

For each of the following documents produced by Pechiney:

- (a) the authenticity of the document;
- (b) the identity of the author of the document;
- (c) the relationship between the author of the document and Pechiney;
- (d) if the author of the document is or was an agent or employee of Pechiney, the scope and duration of the agency or employment relationship and whether the statements in the document concerned a matter within the scope of that agency or employment relationship;
- (e) whether the document was made at or near the time of the acts, events or opinions recorded therein by, or from information transmitted by, a person with knowledge thereof;
- (f) whether the document was kept in the course of a regularly conducted business activity of Pechiney; and
- (g) whether it was the regular practice of Pechiney to make the document:

PPPI 007469-70;	PPPI 005756-57;
PPPI 007496-97;	PPPI 005747-48;
PPPI 007273-76;	PPPI 002418-21;
PPPI 007481-82;	PPPI 002644-48;
PPPI 007489-95;	PPPI 002437-38;
PPPI 002574-76;	PPPI 003793-94;
PPPI 003672-81;	PPPI 002700-01;
PPPI 003667-68;	PPPI 003296-97;
PPPI 007880-88;	PPPI 002145-47;
PPPI 007684-85;	PPPI 007716-19;
PPPI 003165-75;	PPPI 006593-99;
PPPI 006827-28;	PPPI 002761;
PPPI 002166;	PPPI 002982-3003;
PPPI 005104;	PPPI 003250-55;
PPPI 005799-800;	PPPI 005942-47;
PPPI 002526-27;	PPPI 002110-11;
PPPI 003886;	PPPI 007821-23;
PPPI 003644-45;	PPPI 007652;
PPPI 005794-97;	PPPI 005906-08;
PPPI 005798;	PPPI 005900;
PPPI 003628-29;	PPPI 006381-83;
PPPI 005775-83;	PPPI 004476-82;
PPPI 003624-27;	PPPI 007749-58;
PPPI 004101-03;	PPPI 003264-65;

PPPI 005637-38;  
PPPI 005624-25;  
PPPI 003595-97;  
PPPI 002205-06;  
PPPI 002210-12;  
PPPI 006135-36;  
PPPI 003312-13;  
PPPI 006555-60;  
PPPI 003127-29;  
PPPI 004581-84;  
PPPI 005013-16;  
PPPI 006272-79;  
PPPI 006530-31;  
PPPI 006541;  
PPPI 006838-44;  
PPPI 004569-70;  
PPPI 004572-73;  
PPPI 006475-78;  
PPPI 006147-53;  
PPPI 006989;  
PPPI 003147-49;  
PPPI 003403-07;  
PPPI 006862-66;  
PPPI 003411-16;  
PPPI 006752-57;  
PPPI 007059-62;  
PPPI 006739-40;  
PPPI 004113-15;  
PPPI 004092-93;  
PPPI 002702-04;  
PPPI 002378;  
PPPI 008154-65;  
PPPI 008230-95;  
PPPI 003318-19;  
PPPI 005626-27;  
PPPI 006054-55;  
PPPI 003099;  
PPPI 003139-46;  
PPPI 006306-21;  
PPPI 003158-64;  
PPPI 006287-89;  
PPPI 002068-77; and  
PPPI 002111.

**CERTIFICATE OF SERVICE**

I hereby certify that on July 13, 2005, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such document is available for viewing and downloading to the following counsel of record:

N. Richard Powers, Esquire  
Connolly Bove Lodge & Hutz LLP  
The Nemours Building  
1007 North Orange Street  
P. O. Box 2207  
Wilmington, DE 19899

I further certify that on July 13, 2005, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated.

**BY FEDERAL EXPRESS**

Steven R. Trybus, Esquire  
Jenner & Block LLP  
One IBM Plaza  
Chicago, IL 60611-7603

YOUNG CONAWAY STARGATT & TAYLOR, LLP



Karen E. Keller (No. 4489)  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, Delaware 19801  
(302) 571-6600  
kkeller@ycst.com

Attorneys for Plaintiff Cryovac, Inc.